

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

McCALLUM, William, Potter
Cruikshank & Fairweather
19 Royal Exchange Square
Glasgow G1 3AE
ROYAUME-UNI

Date of mailing (day/month/year) 31 August 2000 (31.08.00)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference AS/AM/P10349PC	
International application No. PCT/GB00/00176	International filing date (day/month/year) 24 January 2000 (24.01.00)

1. The following indications appeared on record concerning:

☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative

Name and Address

CRABTREE, Michael, Wayne
2 Pinecrest Gardens
Bieldside
Aberdeen AB15 9FL
United Kingdom

State of Nationality

GB

State of Residence

GB

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence

Name and Address

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

The status of the above-mentioned applicant/inventor has been changed for the purposes of the United States of America only. Power of attorney authorizing CRUIKSHANK & FAIRWEATHER to represent the applicant/inventor CRABTREE, Michael, Wayne is required.

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input checked="" type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input type="checkbox"/> the elected Offices concerned
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Mougamadou ABIDINE Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
 United States Patent and Trademark
 Office
 Box PCT
 Washington, D.C.20231
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 27 September 2000 (27.09.00)	
International application No. PCT/GB00/00176	Applicant's or agent's file reference AS/AM/P10349PC
International filing date (day/month/year) 24 January 2000 (24.01.00)	Priority date (day/month/year) 23 January 1999 (23.01.99)
Applicant ROSS, Ralph, Barclay et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 18 August 2000 (18.08.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Zakaria EL KHODARY Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference J.	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/00176	International filing date (day/month/year) 24/01/2000	Priority date (day/month/year) 23/01/1999
International Patent Classification (IPC) or national classification and IPC B65G1/04		
Applicant ROSS, Ralph, Barclay et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 18/08/2000	Date of completion of this report 16.02.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Felgenhauer, H-P Telephone No. +49 89 2399 2618 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/00176

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-11 as originally filed

Claims, No.:

1-29 as originally filed

Drawings, sheets:

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/00176

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1 - 29
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1 - 29
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1 - 29
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/00176

Item V

1. The following documents are referred to
D1...US-A-4 380 297
D2...FR-A-2 738 219.
2. The claims are not clear (Article 6 PCT) as indicated in item VIII.
- 3.1 The subject-matters of claims 1 and 27 clarified as indicated in Item VIII are novel in view of the available prior art and appear as not being suggested by it since none of the available documents suggests the provision of packing members arranged in a frame and each having a deformable portion to contact elongate members as defined in clarified claims 1 and 27. Consequently for claims 1 and 27 clarified as indicated, the requirements of Article 33 (2) and (3) PCT should be satisfied.
- 3.2 Dependent claims 2 - 26 and 28, 29 should then likewise satisfy the requirements of Article 33 (2) and (3) PCT.
- 3.3 The subject-matters of claims 1 - 29 are industrially applicable.

Item VII

- 1.1 Claims 1 and 27 should have been formulated in the two-part form starting e.g. from D1 as closest prior art (Rule 6.3 b) PCT).
- 1.2 Reference signs in parentheses should have been inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT. This applies to both the preamble and characterising portion.
- 1.3 To meet the requirements of Rule 5.1(a)(ii) PCT, the documents D1 (cf. column 4, lines 12 - 60; column 8, line 39 - column 9, line 64; figures 3, 23, 24) and D2 (cf. figures 1, 2, 15) should have been identified in the description and the relevant background art disclosed therein should have been briefly discussed.

Item VIII

1. Claim 1 is not clear (Article 6 PCT) since the definition of the structure of the apparatus and of the packing member is so vague, that it is not clear how on the one hand the packing member(s) cooperate with the apparatus (its frame) and on the other hand in which manner the packing member engages the elongate members.

From the present wording of claim 1 it even appears to be unclear whether the deformable portion of the packing member is on the outside of a packing member or on the inside of such a member (into which then the elongate member can be fitted). This possible interpretation of claim 1 together with the remainder of the application shows that claim 1 also cannot be considered as being fully supported by the description (Article 6 PCT).

2. For reasons corresponding to the ones given above claim 27 is not clear (Article 6 PCT).

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference AS/AM/P10349PC	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/ 00176	International filing date (day/month/year) 24/01/2000	(Earliest) Priority Date (day/month/year) 23/01/1999
Applicant ROSS, Ralph, Barclay et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 03 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

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☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/00176

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B65G1/04 B65D81/05

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B65G B65D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	FR 2 738 219 A (TARNOT) 7 March 1997 (1997-03-07) page 8, line 6-12; figures 1,2,13,14 ---	1,27
A	EP 0 462 086 A (BAS TEKNIK AB) 18 December 1991 (1991-12-18) column 2, line 29-48; figures 1-10 ---	1,27
A	US 5 294 222 A (SMITH) 15 March 1994 (1994-03-15) column 4, line 48-59; figure 1 ---	1,27
A	US 4 380 297 A (FRIAS) 19 April 1983 (1983-04-19) column 2, line 18-20; figures 23,24 --- -/-	1,27

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

10 May 2000

Date of mailing of the international search report

18/05/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Vollering, J

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 00/00176

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EP 0 447 382 A (SANDVIK AK) 18 September 1991 (1991-09-18) column 1-3; figures 1-6 -----</p>	1,27

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/00176

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
FR 2738219	A	07-03-1997	FR 2738218 A	07-03-1997
EP 462086	A	18-12-1991	AT 115939 T	15-01-1995
			DE 69106058 D	02-02-1995
			DE 69106058 T	20-07-1995
			JP 4226219 A	14-08-1992
			SE 9002151 A	16-12-1991
			US 5188503 A	23-02-1993
US 5294222	A	15-03-1994	NONE	
US 4380297	A	19-04-1983	NONE	
EP 447382	A	18-09-1991	SE 500833 C	12-09-1994
			CA 2038111 A	17-09-1991
			DE 69101165 D	24-03-1994
			DE 69101165 T	01-06-1994
			ES 2049540 T	16-04-1994
			SE 9000953 A	17-09-1991